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| APPLICATION NO.   | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO.     | CONFIRMATION NO.       |
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| 10/039,999  | 10/24/2001  | Derek K. Gauger      | GDK-100-B               | 9338                   |
| 7590<br>YOUNG & BASILE, P.C.<br>Suite 624<br>3001 West Big Beaver Road<br>Troy, MI 48084-3107 |             |                      | EXAMINER<br>VIG, NARESH |                        |
|   |             |                      | ART UNIT<br>3629        | PAPER NUMBER           |
|   |             |                      | MAIL DATE<br>05/13/2008 | DELIVERY MODE<br>PAPER |

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### Office Action Summary

**Application No.**

10/039,999

**Applicant(s)**

GAUGER, DEREK K.

**Examiner**

NARESH VIG

**Art Unit**

3629

**Period for Reply** -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 30 January 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-6, 9, 34, 41 and 52-55 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-6, 9, 34, 41 and 52-55 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

### **DETAILED ACTION**

This is in reference to communication received 30 January 2008. Claims 1 – 6, 9, 34, 41 and 52 – 55 are pending for examination.

#### ***Response to Arguments***

Applicant's arguments with respect to claims 1 – 6, 9, 34, 41 and 52 – 55 have been considered but are moot in view of the new ground(s) of rejection.

#### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1 – 6, 9, 34, 41 and 52 – 55 rejected under 35 U.S.C. 112, second paragraph, as being vague and indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. For example,

in claims 1, 32, 52 and 54, applicant claims the limitation establishing a plurality of information modules in an interactive computer system to control at least two or more of project planning. As currently claimed, it is not clear whether the information modules are established for the intended purpose to control project planning, or it is, controlling the project planning by establishing the information modules

Applicant is requested to review the claims and positively claim the invention.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1 – 6, 9, 34, 41 and 52 – 55 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cohen et al. US Patent 6,507,845 in view of Jenkins US Patent 7,213,030 and Knudson et al. US Patent 5,765,140.

Regarding claim 1, Jenkins teaches Web-enabled interactive method and apparatus for managing a project. Jenkins teaches concept for:

establishing a plurality of information modules in an interactive computer system to control at least two or more of project planning [Jenkins, Fig. 2a and disclosure associated with the Figure], tracking data allowing access to documents and information in any module, providing issue resolution, reviewing project progress, tracking project finances, scheduling and attending meetings, requesting information, reporting project data, and controlling changes to project documents;

defining authorized individuals who have access to the interactive computer system providing electronic data interchange for a project;

creating an electronic collaboration center as one of the modules on the computer system. Jenkins does not specifically teach time disjointed electronic

interaction of authorized individuals on the project. However, Cohen teaches time disjointed collaboration among users involved in a task [Cohen, Fig. 17, 24 – 27 and disclosure associated with the Figure]

Therefore, at the time of invention, it would have been obvious to one of ordinary skill in the art to modify Jenkins in view of Knudson by adopting teachings of Cohen and implement time disjointed collaboration among users to allow the user to work on a project at their own pace.

Jenkins in view of Cohen teaches capability for:

determining access to the collaboration center by the authorized individuals [Jenkins, Fig. 2a and disclosure associated with the Figure];

defining at least one collaboration in the collaboration center, the at least one collaboration including a collaboration leader and at least one of a collaboration summary a collaboration status, and a collaboration status statement;

allowing the collaboration leader to modify at least one of the collaboration summary, the collaboration status and the collaboration status statement [Knudson, Fig. 4 and disclosure associated with the Figure]; and

accepting input information at the collaboration center from the authorized individuals to facilitate resolution of a project issue related to the collaboration

Jenkins in view of Cohen does not specifically teach establishing and tracking project tasks. However, Knudson teaches concept for establishing and tracking project tasks [Knudson, Fig. 4 and disclosure associated with the Figure]

Therefore, at the time of invention, it would have been obvious to one of ordinary skill in the art to modify Cohen by adopting teachings of Knudson and implement establishing and tracking project tasks to define project milestones and monitor its progress.

Regarding claim 2, Jenkins in view of Cohen and Knudson teaches capability for allowing all authorized individuals to perform review, interact with other authorized individuals electronically in the collaboration center.

Regarding claim 3, Jenkins in view of Cohen and Knudson teaches capability for notifying all authorized individuals of a change in at least one of the collaboration purpose, the deadline, the collaboration action plan, and input information.

Regarding claim 4, Jenkins in view of Cohen and Knudson teaches capability for: forwarding one of a question and an issue involving at least one element of the collaboration to be decided by all authorized project individuals;

Jenkins in view of Cohen and Knudson does not explicitly teach accepting votes of authorized individuals for the issue on at least one element of the collaboration. However, it is old and known that in business meetings, team leaders like Project Manager solicits votes from authorized team members to make and educated decision.

Therefore, at the time of invention, it would have been obvious to one of ordinary skill in the art to modify Jenkins in view of Cohen and Knudson has the capability for a

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team leader to solicit votes from authorized team members to make an educated decision.

Jenkins in view of Cohen and Knudson teaches capability for:

making a decision by the project leader on the issue based in part on the votes;  
displaying the results of the vote.

Regarding claim 5, Jenkins in view of Cohen and Knudson teaches capability for maintaining and displaying the status of each collaboration.

Regarding claim 6, Jenkins in view of Cohen and Knudson teaches capability for providing the collaboration center with the capability of receiving documents attached to authorized individual responses.

Regarding claim 9, Jenkins in view of Cohen and Knudson teaches capability for:  
using bi-directional electronic mail interaction between authorized  
individuals and the information modules [Cohen]; and

the information modules automatically documenting the electronic mail in the appropriate information module by updating the information in the appropriate information module [Cohen].

Regarding claim 41, Jenkins in view of Cohen and Knudson teaches capability for:

providing an electronic notepad for each authorized individual to make personal notes about any item of information in the network relating to the project; and  
attaching the personal notes to the items of information for use only by the authorized individual.

Regarding claim 53, Jenkins in view of Cohen and Knudson teaches capability for:

defining by a project leader a plurality of organizational categories;  
specifying the name of at least one authorized individual as the first request recipient for each defined organization category; and  
routing a request for information relating to at least one organizational category from at least one authorized individual to the first request recipient for the organizational category

Regarding claim 55, Jenkins in view of Cohen and Knudson teaches capability for defining at least one of collaboration purpose, a collaboration action plan and deadline for the collaboration.

Regarding claim 34, as responded to earlier in response to claim 1, Jenkins in view of Cohen and Knudson teaches capability teaches capability for:

Web-enabled interactive method and apparatus for managing a project



establishing a plurality of information modules in an interactive computer system to control at least two or more of project planning, establishing and tracking project tasks, allowing access to documents and information in any module, providing issue resolution, reviewing project progress, tracking project finances, scheduling and attending meetings, requesting information, reporting project data, and controlling changes to project documents;

defining authorized individuals who have access to the interactive computer system providing electronic data interchange for a project;

creating an electronic collaboration center in one of the modules on the computer system for the time disjointed electronic interaction of authorized individuals on the project;

defining a collaboration in the collaboration center including a collaboration leader and a collaboration summary and including at least one of a collaboration purpose, a collaboration action plan and a deadline for the collaboration;

determining in the collaboration center access to the collaboration center by the authorized individuals;

accepting input information at the collaboration center from authorized individuals to facilitate resolution of a project issue;  
using the collaboration center for planning and resolving a collaboration purpose;

using bi-directional electronic mail interaction between authorized individuals and the information modules;

Also, Jenkins in view of Cohen and Knudson teaches capability for providing an electronic mail response capability for at least certain of the requests and notifications issued in any of the information modules allowing an authorized user to respond to the request and notification by direct electronic mail reply [Cohen]; and

the information modules automatically documenting the reply and any documents attached to the reply in the appropriate information module by updating the information in the appropriate information module [Cohen].

Regarding claim 52, Jenkins in view of Cohen and Knudson teaches capability for:

Web-enabled interactive method and apparatus for managing a project establishing a plurality of information modules in an interactive computer system to control at least two or more of project planning, establishing and tracking project tasks, allowing access to documents and information in any module, providing issue resolution, reviewing project progress, tracking project finances, scheduling and attending meetings, requesting information, reporting project data, and controlling changes to project documents;

defining authorized individuals who have access to the interactive computer system providing electronic data interchange for a project;  
creating an electronic collaboration center in one of the modules on the computer

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system for the time disjointed electronic interaction of authorized individuals on the project;

determining in the collaboration center access to the collaboration center by the authorized individuals;

defining a collaboration in the collaboration center including a collaboration leader and a collaboration summary and including at least one of a collaboration purpose, a collaboration action plan and a deadline for the collaboration;

accepting input information at the collaboration center from authorized individuals to facilitate resolution of a project issue;  
using the collaboration center for planning and resolving a collaboration .  
purpose;

Also, Jenkins in view of Cohen and Knudson teaches capability for:

linking at least two of the information modules for bi-directional data interchange between each module;

providing a project plan having a plurality of items;

linking each item to a set of tasks;

linking any item and task to an issue describing a problem and a call for action;

and

linking all of the information and actions associated with the issue to the tasks and the project plan item.

Regarding claim 54, Jenkins in view of Cohen and Knudson teaches capability for:

Web-enabled interactive method and apparatus for managing a project establishing a plurality of information modules in an interactive computer system to control at least two or more of project planning, establishing and tracking project tasks, allowing access to documents and information in any module, providing issue resolution, reviewing project progress, tracking project finances, scheduling and attending meetings, requesting information, reporting project data, and controlling changes to project documents;

defining authorized individuals who have access to the interactive computer system providing electronic data interchange for a project;

creating an electronic collaboration center in one of the modules on the computer system for the time disjointed electronic interaction of authorized individuals on the project;

determining in the collaboration center access to the collaboration center by the authorized individuals;

defining a collaboration in the collaboration center including a collaboration leader and a collaboration summary and including at least one of a collaboration purpose, a collaboration action plan and a deadline for the collaboration;

accepting input information at the collaboration center from authorized individuals to facilitate resolution of a project issue;

using the collaboration center for planning and resolving a collaboration purpose;

Also, Jenkins in view of Cohen and Knudson teaches capability for:  
issuing a request for project review by an authorized project individual;  
designating a plurality of designated recipients of the review request by an authorized individual;

providing for a reply from the plurality of designated review requests by one in parallel from each designated review recipient and in series from all of the designated delegated recipients;

providing for the delivery of the review request to the designated recipients in one of:

directly in parallel providing each of the designated recipients with the capability of one of replying to the review request directly, delegating the review request to a designated delegate with the capability for the designated delegate to respond directly to a requestor of the request for review, and delegating the request for review to a designated recipient with the designated recipient's response routed to the designated recipient for review prior to delivery to the requestor;

and to a designated first recipient directly;

providing the first designated recipient of one of replying to the review request for direct delivery, delegating the request for review to a designated delegate with the capability for the designated delegate to respond directly to a requestor of the request for review delegating the request for review to a designated recipient with the

designated recipient's response routed to the first designated recipient for review prior to the requestor; and

serially delegating the review request to a next designated recipient having the same reply and delegating options to deliver a reply to requestor [Cohen].

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Applicant is required under 37 CFR '1.111 (c) to consider the references fully when responding to this office action.

1. Lombardo et al. US Patent 6,341,290

Any inquiry concerning this communication or earlier communications from the examiner should be directed to NARESH VIG whose telephone number is (571)272-6810. The examiner can normally be reached on Mon-Thu 7:00 - 5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Weiss can be reached on (571) 272-6812. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

May 12, 2008

/Naresh Vig/  
Primary Examiner,  
Art Unit 3629